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Progressive Direct Insurance Company***

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

SPENCER L. KIRKSEY, JR., individually,

Plaintiff,

Case No: 2:20-cv-0557GMN-EJY

vs.

PROGRESSIVE DIRECT INSURANCE COMPANY,  
a Ohio Corporation for Profit; DOES I-X, and ROE  
CORPORATIONS I -X, inclusive,

Defendants.

**STIPULATION AND ORDER FOR DISMISSAL OF  
EXTRA-CONTRACTUAL (BAD FAITH AND PUNITIVE DAMAGES) CLAIMS**

IT IS HEREBY STIPULATED by and between Plaintiff, SPENCER L. KIRKSEY, JR., by and through his attorney of record, KEVIN SPRENZ, ESQ. of SPRENZ LAW and Defendant, PROGRESSIVE DIRECT INSURANCE COMPANY, by and through its attorney, JENNIFER INSLEY MICHERI, ESQ., of the law firm of DENNETT WINSPEAR, LLP, that Plaintiff's claims for extra-contractual (bad faith), punitive damages (including but not limited to Plaintiff's Second, Third and Fourth Cause of Action), and any other claims involving claims outside of the contractual relationship between PROGRESSIVE DIRECT INSURANCE COMPANY, and SPENCER L. KIRKSEY, Jr., are hereby dismissed, with prejudice.

The claims for contractual UIM benefits remain for determination.

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Both sides acknowledge that each side will bear their own attorneys' fees and costs as it relates to the litigation thus far completed.

DATED: Nov. 23, 2020

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**SPRENZ LAW**

**DENNETT WINSPEAR, LLP**

By /s/ Kevin A. Sprenz  
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***Attorneys for Defendant,  
Progressive Direct Insurance Co.***

**ORDER**

IT IS SO ORDERED.

DATED: November 23, 2020

  
U.S. [REDACTED] JUDGE

DENNETT WINSPEAR

ATTORNEYS AT LAW